

25 MARCH 1947

I N D E X
of
WITNESSES

| <u>Defense' Witnesses</u> | <u>Page</u> |
|--|-------------|
| KATAKURA, Tadashi (resumed) | 19048 |
| Direct by Mr. T. OKAMOTO (cont'd) | 19048 |
| Direct (cont'd) by Mr. YAMADA | 19062 |
| Cross by Mr. Tavenner | 19068 |
| <u>MORNING RECESS</u> | 19073 |
| Cross by Mr. Tavenner (cont'd) | 19073 |
| <u>NOON RECESS</u> | 19090 |
| Discussion re granting of Recess to Defense | 19091 |
| <u>AFTERNOON RECESS</u> | 19099 |
| Cross by Mr. Tavenner (cont'd) | 19102 |
| Redirect by Mr. T. OKAMOTO | 19124 |
| (Witness excused) | 19126 |
| Adjournment until Wednesday, 2 April 1947 | 19128 |

1 Tuesday, 25 March 1947

2 - - -

3
4 INTERNATIONAL MILITARY TRIBUNAL
5 FOR THE FAR EAST
6 Court House of the Tribunal
7 War Ministry Building
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,
10 at 0930.

11 - - -

12 Appearances:

13 For the Tribunal, same as before with the
14 exception of: HONORABLE JUSTICE JARANILLA, Member
15 from the Commonwealth of the Philippines, not
16 sitting.

17 For the Prosecution Section, same as before.

18 For the Defense Section, same as before.

19 - - -

20 (English to Japanese and Japanese
21 to English interpretation was made by the
22 Language Section, IMTFE.)
23
24
25

KATAKURA

DIRECT

M
O
r
s
e
&
W
o
l
f

1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 - - -

4 T A D A S H I K A T A K U R A, called as a
5 witness on behalf of the defense, resumed
6 the stand and testified through Japanese
7 interpreters as follows:

8 THE PRESIDENT: All the accused are present
9 except OKAWA and MATSUI who are represented by counsel.
10 We have a certificate from the prison surgeon at
11 Sugamo that MATSUI is too ill to attend the Trial
12 today. The certificate will be recorded and filed.

13 Mr. OKAMOTO.

14 MR. T. OKAMOTO: I have just a few more
15 questions to ask the witness.

16 DIRECT EXAMINATION

17 BY MR. T. OKAMOTO (Continued):

18 Q Is the witness aware of the fact that in
19 Manchuria there is a society called the Concordia
20 Society was formed?

21 THE MONITOR: There was a Concordia Society
22 in Manchuria.

23 A Yes.

24 Q Was the witness ever a member of the
25 Committee of the Concordia Society?

KATAKURA

DIRECT

1 A Yes, when I was attached to the Fourth
2 Section of the Kwantung Army Headquarters I was
3 a member of the Central Committee.

4 Q Did you have any connection whatsoever with
5 the forming of the Concordia Society -- individually
6 any connection with the society at the time of its
7 establishment?

8 A Yes.

9 Q What connections did you have?

10 A There was a meeting of the Committee for
11 the establishment of the Concordia Society in Hsin-
12 king, Manchukuo on the 18th of July 1932. On that
13 occasion there was discussion about the formalities
14 or the ceremonies in connection with the inauguration
15 of the Society and for purposes of liaison two members --
16 two representatives from the Kwantung Army, two
17 representatives from the Manchukuo Government and
18 six representatives from the Preparatory Committee
19 of the Concordia Society attended the meeting.
20

21 Q Then, will you please make it clear whether there
22 is a difference between your participation in the
23 meeting and the formation of the society?

24 THE INTERPRETER: The preparation for the
25 establishment of the society.

 THE MONITOR: Slight modification: Can you

KATAKURA

DIRECT

1 explain whether there is a difference between attend-
2 ing this meeting and participating in the formation
3 of the Society? Is that one and the same thing or
4 not?

5 A The Committee for the Establishment of the
6 Concordia Society discussed various matters per-
7 taining to the establishment of the Society, whereas,
8 the actual preparations for the creation of the
9 Society was handled by the Preparatory Committee,
10 and, therefore, we had nothing to do with the for-
11 mation of the Society.

12 Q Then, will you please tell us what duties
13 you had when you were the Chief of the Fourth Section
14 of the Kwantung Army and there was a member of the
15 Central Committee?

16 THE MONITOR: And while you were a member
17 of the Central Committee of the Concordia Society --
18 What were your duties as a central member of the
19 Concordia Society?

20 A The Chief of the Fourth Section and before
21 me the Chief of the Third Section was a member of
22 the Central Committee of the Concordia -- for the
23 establishment of the Concordia Society as a liaison
24 officer between Kwantung Army Headquarters and the
25 Society.

KATAKURA

DIRECT

1 Q Does this -- the words liaison -- does the
2 word "liaison" mean participation in the proceed-
3 ings of the Society?

4 A At that time the Central Committee was
5 more of an advisory organ and the decision was made
6 by the Chairman of the Central Committee.

7 May I add a few words.

8 Beside -- in addition to myself, the other
9 members who constituted the Central Committee for
10 the Concordia Society were the Consular of the
11 Japanese Embassy, the Director General of the Kwan-
12 tung Administrative Office and other Japanese officials
13 with connections in Manchukuo, for the purpose of
14 promoting the harmony of the various races in Man-
15 chukuo and also to foster Japan-Manchukuo collabo-
16 ration.

17 Q What relation did the Commander-in-Chief
18 of the Kwantung Army have therewith?

19 A Commanding General HONJO and the succeeding
20 commanders-in-chief of the Kwantung Army for the most
21 part were honorary advisors of the Concordia Society.

22 Q How many members participated therein from
23 the Kwantung Army? How many members of the Committee
24 were there representing the Kwantung Army?

25 A As members of the Central Committee, one or

KATAKURA

DIRECT

1 two members of the Kwantung Army.

2 Q Were there any other military officers
3 from the Kwantung Army represented in the Concordia
4 Society who were members of the Concordia Society?

5 A None other than the Supreme Advisor to the
6 Manchukuo Army.

7 Q Were the members of the Japanese military
8 allowed to participate in politics in Manchuria such
9 as the Concordia Society? I am referring to officers
10 and men generally.

11 A No, they were not permitted to participate.

12 Q Do you know anything about the army -- the
13 Manchukuo Government Army?

14 A Yes.
15
16
17
18
19
20
21
22
23
24
25

KATAKURA

DIRECT

1 Q Will you please tell us about the formation
2 of the Manchurian Army -- Manchukuo Army -- national
3 army?

4 A Generally speaking this may be -- the forma-
5 tion of the Manchukuo National Army may be divided
6 into three stages.

7 Q Please explain to us briefly.

8 A In the first stage representing the first
9 period of the Manchukuo Army, at the outset, or in
10 the early period of the establishment of the State of
11 Manchukuo, the armies of the old Chang Hsueh-liang
12 regime, the various armies belonging to the various
13 provincial autonomous independent armies were gathered
14 together principally for the purpose of maintaining
15 law and order in Manchukuo, and also they were gathered
16 for the purpose of improving their quality. In the
17 second stage, which began around 1937, the Manchukuo
18 state army and the Manchukuo police combined for the
19 purpose of maintaining peace and order in Manchukuo.
20 For this purpose the Department for the Maintenance
21 of Law and Order was created and the army was devoted
22 mainly to this task. In the third stage, which began
23 around 1940, in response to an ardent desire of the
24 people of Manchukuo, the conscription law was estab-
25 lished and what would compare to a national defense

KATAKURA

DIRECT

1 army was created, comprised of numerically small but
2 very well trained and highly qualified officers and
3 men.

4 Q You testified before that General Yu Chun-han
5 did not recognize the necessity of a Manchukuo national
6 army. From what you have just testified there seems
7 to be some difference in the facts.

8 A There was a change in the thinking on the
9 part of Yu Chun-han at the time he advocated a policy
10 of no armies and at the time of which I have just
11 testified. As a matter of fact, in the later stage,
12 he favored the existence of a Manchukuo national army.

13 Q Do you know of the reason for the construction --
14 establishment of a state in Manchuria by Japan? Do
15 you know why Japan approved of the formation of a
16 national army in Manchukuo?

17 A Yes.

18 Q What were they reasons?

19 A There were two views on the question.

20 Q Please state briefly.

21 A In the past in China there was a saying that
22 good iron was not used for nails and, therefore, did
23 not cultivate soldiery, and that good people are not
24 taken into -- good people did not become soldiers.
25 However, in Manchukuo, the feeling grew, a national

KATAKURA

DIRECT

1 fervor grew up in which they believed in respect for
2 the profession of arms, as a result of the growth
3 of a national consciousness in the new born state.
4 The second view was that in the light of the situation
5 along the Manchukuo border there was a strong feeling
6 among Manchurians that they must be able through
7 strength, using anti-aircraft artillery and other
8 weapons, to defend their borders, and Japan believed
9 that such a spirit was highly to be commended in the
10 sense that it was conducive to the principle of Japan-
11 Manchukuo joint defense.

12 Q Japan had a considerable army in Manchuria.
13 How were the expenses for this army taken care of?

14 A The cost, for the most part, came out of Japan's
15 military expenditures.

16 Q You used the words "for the most part." Does
17 that mean that a part of it was borne by the Manchukuo
18 Government?

19 A As I testified yesterday it was at the behest
20 of the Manchukuo Government that Manchukuo -- that
21 is, by their own request, the Manchukuo Government
22 wished to bear a part of the expenses for the station-
23 ing of Japanese troops in that country. There was an
24 agreement arrived at, a promise made between the command-
25 ing general of the Kwantung Army, HISHIGARI, and

KATAKURA

DIRECT

1 Cheng Hsiao-hsu in 1934 to the effect that Manchukuo
2 would defray -- would pay for the expense of station-
3 ing Japanese troops to the extent of ten per cent of
4 its national budget. This expenditure in the first
5 year was no more than nine million yuan. However,
6 this system was suspended in 1938.

7 Q What happened then?

8 A Since then the Manchukuo Government supplied
9 such funds as it felt was necessary, while expenditures
10 forthcoming from Japan was suspended, and suspended
11 the ten per cent which previously had been given
12 out of the Manchukuo state budget for the stationing
13 of Japanese troops. This was carried out in 1938
14 during the time of UEDA, commanding general of the
15 Kwantung Army, and I was section chief in charge of
16 the matter.

17 Q In connection with this will you please tell
18 us the steps taken by the Japanese in regard to the
19 railway -- the lease of the railway?

20 MR. T. OKAMOTO: (In English) No, "loan."

21 A Before the outbreak of the Manchurian Incident
22 the interest on railway loans was around 8 per cent,
23 but after the establishment of the state of Manchukuo
24 the interest rate decreased to 7.9 per cent. This was
25 gradually decreased so that in 1939 when I was section

KATAKURA

DIRECT

1 chief concerned, there were no interests on railway
2 loans.

3 Q You testified that in the abrogation of
4 extraterritoriality Japan made three reservations.
5 What were they? Is that correct?

6 A That is correct.

7 Q Will you please explain the reservations
8 made thereto?

9 A One was reservation with respect to military
10 administration. At that time, seen from the Manchurian
11 side, the Japanese residents in Manchuria were also
12 Manchukuo subjects but at the same time, in accordance
13 with Japanese law, they hadn't given up their Japanese
14 nationality. Hence, under the constitution they --
15 military service -- they had the obligation of military
16 service. The number of Japanese residents in Manchukuo
17 was so large that a part of the business relating to
18 them was handled by the Japanese side. The second
19 reservation was with respect to educational adminis-
20 tration.

21

22

23

24

25

KATAKURA

DIRECT

G
r
e
e
n
b
e
r
g
&
E
d
e
r

1 Q Please explain that briefly.

2 A Because of the fact that there were many
3 Japanese residents in Manchukuo and because of the
4 fact that there was so few educational facilities,
5 the education of these people were for the time being
6 left in Japanese hands. This was the second reser-
7 vation.

8 Q Next?

9 A Next was in connection with the administra-
10 tion of railway zone. Because of the fact that most
11 of the shrines were left in the railway zone the
12 administration thereof was left in the hands of the
13 Japanese for the time being.

14 Q Did you participate in the formation of the
15 Manchuria Heavy Industries Company?
16

17 A I did not participate in its formation.

18 Q Did you take any part in the development
19 of the Manchuria Heavy Industries Company thereafter?
20 Have you, Mr. Witness, contributed any of your efforts
21 in the development of the Manchuria Heavy Industries
22 Company thereafter?

23 A Yes, I gave them my positive cooperation
24 as chief of the fourth section, Kwantung Army head-
25 quarters.

Q Will you tell us briefly what you know about

KATAKURA

DIRECT

1 this company?

2 A In connection with the aim of the formation
3 of this company there was opposition both in Man-
4 churia and Japan. In Manchuria there was opposition
5 on the part of the South Manchuria railroad because
6 of the fact that a very important economic activity
7 had been taken away from them, and opposition also
8 on the part of the younger officials of the Man-
9 chukuo government out of a divergence of views on
10 how to apply planned economy.

11 Opposition in Japan came forth from various
12 Japanese industrial enterprises out of their envy
13 of Mr. ARUKAWA, Yoshisuke. The extreme nationalists
14 in Japan were opposed to the creation of this
15 company because they felt that the enticing of
16 foreign capital into Manchukuo would lead to a
17 second Harriman incident.

18 Q Did the Kwantung Army express any opposi-
19 tion to the importation of foreign capital?
20

21 A Ever since the outbreak of the Manchurian
22 incident the Kwantung Army has always advocated in
23 favor of importation of foreign capital and it has
24 never been opposed.

25 Q What attitude did the Kwantung Army take
with respect to the open door policy in Manchuria --

KATAKURA

DIRECT

1 open door policy in Manchukuo?

2 A Has never opposed that policy.

3 Q Until when were you the chief of the
4 fourth section?

5 A Until August 1939.

6 Q Did you go to Manchukuo after that?

7 A In July 1941, as a senior staff of General
8 YAMASHITA, Hobun, I went to the Kwantung defense
9 headquarters.

10 Q Please tell us the mission you had then --
11 the duties you had then.

12 A The Kwantung defense army was under the
13 commander in chief of the Kwantung Army, General
14 UMEZU, and was assigned to the defense of Kulunbur
15 and Hei-ho, or to the defense areas outside of the
16 Manchukuo border.

17 Q Where did you learn of the outbreak of the
18 Greater East Asia War?

19 A I learned of it in Manchukuo.

20 Q Do you know anything about the effect of
21 the outbreak of the Greater East Asia War upon the
22 people of Manchuria -- or Manchukuo?

23 A My observations while in Manchukuo was
24 while at first the people of Manchukuo were very
25 ready in every readiness to cooperate with Japan

KATAKURA

DIRECT

1 but with the steady demands placed by Japan on the
2 material from Manchukuo there began to grow some
3 dissatisfaction on the part of the people.

4 Q You testified very accurately on various
5 questions on Manchuria. Did you make any particular
6 study of this question?

7 A As is quite evident from my career, I
8 have gone to Manchuria and Manchukuo many times
9 and I have assisted in the compilation of the history
10 of the Manchurian incident.

11 Slight correction: I have been frequently
12 associated with Manchurian affairs and I was assist-
13 ant -- I served as assistant in the compilation of
14 the history of the Manchurian incident which was
15 compiled by the general staff office.
16

17 MR. T. OKAMOTO: I now conclude my examin-
18 ation in chief. May I have the permission to recall
19 this witness for the personal phase of defendant
20 MINAMI?

21 THE PRESIDENT: He will be subject to be
22 recalled if that is desired.

23 MR. T. OKAMOTO: Mr. YAMADA, counsel for
24 defendant ITAGAKI, would like to put a few
25 questions as addition to the direct examination.

THE PRESIDENT: Mr. YAMADA.

KATAKURA

DIRECT

1 DIRECT EXAMINATION (Continued)

2 BY MR. YAMADA:

3 Q With regard to the suggestions made by the
4 Kwantung Army to the central authorities, were these
5 carried out in toto?

6 A Yes, those which were adopted were carried
7 out.

8 Q With regard to these suggestions, were there
9 any instructions from the central government to make
10 these suggestions?

11 THE MONITOR: Slight correction: With re-
12 gard to these recommendations made by the Kwantung
13 Army to the central authorities, were there always
14 instructions from the central authorities concerning
15 this?

16 A Yes, there were directions on matters which
17 required a reply.

18 Q Did the Kwantung Army always obey the orders --
19 the instructions of the central authorities?

20 A Yes, we were always obedient to the orders
21 of the central authorities, and we were absolutely
22 obedient to the all Imperial commands. However, if
23 the directions -- directives from the central authori-
24 ties were not -- were at variance with the opinions
25 and views entertained by the Kwantung Army, then the

KATAKURA

DIRECT

1 Kwantung Army would repeat its presentation of its
2 views to the central authorities.

3 Q The Imperial orders that you mention now,
4 what were they? What sort of orders were they?

5 A It is an order issued by the chief of the
6 Army General Staff in his capacity as the assistant
7 to the Emperor in the -- in carrying out the Imperial
8 prerogative of the Supreme Command -- an order issued
9 by the chief of the Army General Staff at the instruc-
10 tions of the Emperor.

11 Q Colonel ITAGAKI met Ma Chan-shan in Hai-lun.
12 Could a staff officer of the Kwantung Army hold such
13 meetings with such people whenever they wanted to do
14 so merely in his personal capacity?

15 A There were two attitudes held by the staff
16 officers with respect to the outside: In the case of
17 Colonel ITAGAKI meeting Ma Chan-shan in Hai-lun, being
18 a very important question, he would go -- he will meet
19 such a person at the directions and instructions of
20 the commander-in-chief of the Kwantung Army. However,
21 in case of a less important matter, the staff officer
22 may, on his own, for purposes of collecting and gather-
23 ing intelligence and other data, do so at his personal
24 discretion.
25

THE MONITOR: That is, of course, when he is

KATAKURA

DIRECT

1 under some general mission to accomplish -- to attain
2 certain ends.

3 Q In carrying out such important negotiations,
4 were official reports made after such negotiations?

5 A Naturally.

6 Q With regards to the rebuilding of the bridge
7 which was destroyed by Ma Chan-shan -- the bridge
8 over the Nun-Kiang --

9 What steps did the Japanese take with regard
10 to the rebuilding of the bridge which was destroyed --
11 bridge over the Nun-Kiang by forces of General Ma
12 Chan-shan?

13 THE MONITOR: Which was destroyed by the
14 forces of General Ma Chan-shan when Chang Hai-peng's
15 army advanced to the north.

16 A Towards the end of October, negotiations were
17 begun with respect to the repairing of the bridge at
18 the request of the South Manchuria Railway.

19 Q What happened after that?

20 A At first the directive -- the South Manchuria
21 Railway asked for the repair of the bridge for the
22 purpose of hauling grain. President -- UCHIDA, presi-
23 dent of the South Manchuria Railway, while making this
24 request to the commander-in-chief, HONJO, also, at the
25 same time, through Consul General HAYASHI, submitted

KATAKURA

DIRECT

1 a request to Foreign Minister SHIDEHARA asking that
2 negotiations be begun for the repair of the bridge.
3 Foreign Minister SHIDEHARA wired instructions to
4 Consul General HAYASHI, and the negotiations were
5 commenced by Consul SHIMIZU at Tsitsihar.

6 Q What happened after that?

7 A Then negotiations were continued.

8 Q Was the repairs carried out -- were the re-
9 pairs carried out finally?

10 A With the despatch of the repair corps, fight-
11 ing began.

12 Q With regards to the question of the personnel
13 of the Manchukuo Government, what powers did the
14 Chief of Staff of the Kwantung Army have?

15 A The Chief of Staff assisted the commanding
16 general in recommending Japanese officials to the
17 Manchukuo Government.

18 Q Then the Chief of Staff of the Kwantung Army
19 had connections simply because -- to the extent that
20 recommendations -- to the extent that he carried out
21 the will of the commander-in-chief of the Kwantung
22 Army with regards to recommendations or suggestions
23 with regard to -- in connection with personnel move-
24 ments.

25 A As far as the actual personnel question was

KATAKURA

DIRECT

1 concerned, officials were actually recommended by the
2 director or president of the General Affairs Board
3 and submitted for -- to the commander-in-chief of the
4 Kwantung Army.

5 THE MONITOR: They were actually recommended
6 by the director-general of the General Affairs Bureau
7 on the Manchukuo side and was recommended -- and this
8 was -- information was transmitted to the Kwantung
9 Army; and, in accordance with the will of the Commander-
10 in-Chief of the Kwantung Army, the Chief of Staff
11 transmitted the same to Japan proper, submitting a
12 request.

13 Q I believe you testified to the effect that
14 you did not have any direct conversations with the
15 members of the Lytton Commission. Did you or did you
16 not have direct conversations with the members thereof?

17 A I testified yesterday that I had discussions
18 with members of the Lytton Commission at the Yamato
19 Hotel in Mukden.

20 Q With regard to the explanation of various
21 matters and guiding the reception of the Lytton Com-
22 mission, who was in charge -- who in the Kwantung Army
23 was in charge of this?

24 MR. TAVENNER: I object, your Honor, to this
25 question because it was a matter covered by the person

KATAKURA

DIRECT

1 who examined in chief.

2 THE PRESIDENT: Not only that, but it seems
3 irrelevant and immaterial. He is not attacking any
4 findings of the Commission now. Objection upheld.

5 MR. YAMADA: I conclude my examination. I
6 would like to reserve the right to call this witness
7 when the individual defense of my client, ITAGAKI,
8 begins.

9 THE PRESIDENT: Your interests are fully
10 protected in that regard.

11 Mr. Tavenner, do you contemplate a lengthy
12 cross-examination? After all, the phases touched on
13 by this witness are well documented from Japanese
14 sources apart from the Lytton Report. However, you
15 use your own judgment.

16 MR. TAVENNER: I do not contemplate asking
17 a great many questions; but the answers given may
18 call for further questioning.
19
20
21
22
23
24
25

KATAKURA

CROSS

CROSS-EXAMINATION

1
2 BY MR. TAVENNER:

3 Q General KATAKURA, what military rank did
4 you hold while you were in Manchuria from August 1930
5 to the end of August 1932?

6 A Captain.

7 Q What were your duties as staff officer during
8 that period?

9 A As I have explained before, at first I was
10 an assistant in charge of public relations and
11 liaison with the outside, the handling of clerical
12 matters within the Headquarters of the Kwantung Army,
13 and later on, as staff officer, the various types
14 of activities which I have already described. And
15 also during this period I served in a secretarial
16 capacity both to the Commander-in-Chief and the Chief
17 of Staff.

18 Q Are Kuanchengtze and Nanlin located in the
19 Province of Kirin?

20 A Yes, located in Kirin Province.

21 Q You testified, page 18,908 of the transcript,
22 that troops were dispatched to Kir'in because of a
23 report received on September 20 of the existence of
24 a state of disorder and unrest at that place. Why
25 did you fail to mention that Japanese troops attacked

W
h
e
n
&
D
u
d
a

KATAKURA

CROSS

1 the Chinese garrisons of Kuanchengtze and Nanlin in
2 the province of Kirin at midnight on the 18th?

3 A I did not mention it because I wasn't asked
4 the question. But if required, I should be very
5 happy to explain.

6 Q Why did you fail to tell the Tribunal that
7 Chinese troops at Antung, Yingkow, Liaoyang and other
8 smaller towns were overcome and disarmed on the
9 night of September 18?

10 A Chinese troops at Feng Huan-cheng and Yingkow
11 were disarmed, but there was no attack on Chinese
12 troops at Antung or Liaoyang.

13 Q I asked you why you did not tell the Tribunal
14 about the unarming of these troops at those places.

15 A I did not speak of it because there was no
16 question from defense counsel. However, I am prepared
17 to reply.

18 Q Do you understand English?

19 A No.

20 Q Why didn't you tell the Tribunal that on the
21 night of the 18th of September the Japanese fleet was
22 ordered to proceed from Port Arthur to Yingkow and
23 reinforcements were requested from Korea?

24 A I did not speak of them because there was
25 no question from defense counsel. But if you would

KATAKURA

CROSS

1 like me to speak of them, I shall be able to speak
2 of them in detail.

3 THE PRESIDENT: The only purpose this cross-
4 examination serves is to remind us of the prosecution's
5 evidence.
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

KATAKURA

CROSS

1 Q I would like to read you just three short
2 excerpts from the Lytton Report on page 71--

3 MR. BROOKS: I wish to object, your Honor.
4 The Lytton Report is in evidence, and the prosecution
5 later can refer to it, and he has proper time to present
6 his argument to the Court at that time. I call this
7 matter to the attention of the Tribunal. I think
8 it is improper to go into that unless there is some
9 question of testing the witness' credibility here,
10 and he has failed to let this witness answer and give
11 the explanations on these points.

12 THE PRESIDENT: You are out of order, Captain
13 Brooks, the objection should be taken by the Japanese
14 counsel who examined in chief.

15 MR. BROOKS: I was appointed by the counsel
16 to work with Mr. OKAMOTO for objections, as we explained
17 in chambers, your Honor. I am working with Mr. OKAMOTO,
18 that is why I am here every day.

19 THE PRESIDENT: We understand you do not
20 represent the same interests.

21 MR. BROOKS: We do represent the same interests,
22 your Honor. I represent General MINAMI as American
23 counsel and he represents him as Japanese counsel.
24 Colonel Warren as chairman asked me to take the ob-
25 jections.

KATAKURA

CROSS

1 THE PRESIDENT: However, it is clear that
2 the cross-examining counsel is within his rights in
3 putting his evidence to this witness. That is one
4 of the main purposes of cross-examination. But in this
5 particular case it seems to me to be a waste of time, and
6 as I said before Captain Brooks intervened.

7 MR. TAVENNER: I will withdraw the question.

8 Q You testified on page 18929 of the transcript
9 that the Kwantung Army had no connection whatsoever
10 with the organization of the committee for the mainte-
11 nance of peace and order. How can you reconcile that
12 statement with the finding of the Lytton Report on
13 page 89 where it is said with reference to Mr. Yuan
14 Chin-kai: "The Japanese military authorities invited
15 him and eight other Chinese residents to form a 'Com-
16 mittee for the Maintenance of Peace and Order.'"

17 A As I have said before, the Liaoning committee
18 for the maintenance of peace and order was formed
19 by these men, and they later came to the Kwantung
20 Army headquarters in connection with the appointment
21 of a Japanese adviser to that committee. I am speaking
22 from my personal knowledge and recollection, and I
23 say that Kwantung Army headquarters, or the army
24 itself, has never at any time on its own taken any
25 part in the formation or organization of such a

KATAKURA

CROSS

committee.

1 THE PRESIDENT: We will recess for fifteen
2 minutes.

3 (Whereupon, at 1045, a recess was
4 taken until 1100, after which the proceedings
5 were resumed as follows:)

6 MARSHAL OF THE COURT: The International
7 Military Tribunal for the Far East is now resumed.

8 THE PRESIDENT: Mr. Tavenner.

9 BY MR. TAVENNER (Continued):

10 Q How can you reconcile your statement that
11 the Kwantung Army had no connection whatsoever
12 with the organization of the Committee for the
13 Maintenance of Peace and Order with your later
14 statement appearing at page 19,003 of the transcript,
15 where you said:
16

17 "It was the intention of the Tokyo
18 authorities that the Kwantung Army on the spot
19 keep in close contact with various local regimes
20 and keep and preserve law and order in various
21 parts of Manchuria."

22 A The Kwantung Army has had nothing to do
23 at all with the establishment of these committees
24 for the maintenance of peace and order. However,
25 it maintained contact and liaison with committees

• Y
e
l
d
e
n
&
S
p
r
a
t
t

KATAKURA

CROSS

1 after they were established in order to seek
2 their cooperation in the maintenance of law and
3 order because the Kwantung Army did not establish
4 military administration. As I told the defense
5 counsel, at about the time that Colonel ITAGAKI
6 made a trip to Tokyo, that is, around January,
7 1932, the Kwantung Army maintained contact and
8 sought the cooperation of the leaders of the
9 various provincial governments in Manchuria.
10 If I may put my point briefly, it is this: it
11 had nothing to do with the formation or crea-
12 tion or the establishment of these committees, but
13 it did maintain contact with these committees after
14 they were established.

15 Q I would be very happy for you to answer
16 in brief form, and putting it in brief form doesn't
17 it just mean this: that the Kwantung Army was not
18 permitted to be present at the birth of the new
19 organization, but was to act as its nursemaid
20 until its maturity?

21 A The Kwantung Army was not at all a nurse-
22 maid of these committees for the maintenance of
23 peace and order. According to the old Chinese
24 custom and practice such a committee after it is
25 formed is a full-fledged adult.

KATAKURA

CROSS

1 Q Now did the Kwantung Army then nurse
2 through infancy the organization known as the
3 Self-Government Guiding Board, or was it, too,
4 born a full man?

5 A In the case of the Self-Government Guid-
6 ing Board there was some slight difference. The
7 Self-Government Guiding Board was created in the
8 various localities, that is, the provinces or
9 lesser and smaller localities, and in order to
10 foster and promote the growth of the Self-Government
11 Guiding Board, Manchurians, some Japanese under the
12 leadership of Yu Chun-han, that is, for the purpose
13 of promoting and fostering the Self-Government
14 Guiding Board, a committee was created under the
15 leadership of Yu Chun-han, composed of Manchurians
16 and some Japanese.

17 Q Now, the object of this Guiding Board was
18 to promote independence movements, was it not?

19 A With regard to this, there were two
20 changes.

21 Q Let me interrupt you. I am not asking for
22 changes. Will you please answer the question that
23 I have asked you?

24 A The original and former aim of the Self-
25 Government Guiding Board was to serve in the

KATAKURA

CROSS

1 capacity of a Guiding Board with regard to self-
2 government, but from January 1932 it started an
3 enlightenment movement in connection with the form-
4 ing of a new state.

5 Q Then the principal object was to promote
6 the formation of a new state from January on?

7 A Its principal function was to serve in
8 a guiding capacity for local self-government,
9 guiding committees or boards, and at the same time
10 it started an enlightenment movement in connection
11 with the creation of a new state.

12 May I add a few words to this? In
13 January 1932 Yu Chun-han and Tsang Shih-i had a
14 meeting in connection with the establishment of
15 a new state. Also, in January 1932 the province
16 of Heilunkiang proclaimed its independence, and
17 thereafter various other provinces in Manchuria
18 declared their independence and gradually took on
19 a more consolidated form.

20 Q How early in September was it that this
21 Self-Governing Guidance Board was established?
22 The word is "Self-Government," not "Self-Governing."
23

24 A My recollection is that the Self-Government
25 Guiding Board was inaugurated on the 10th of
November, 1931.

KATAKURA

CROSS

1 Q You spoke of the committee being organized
2 under a Chinese; is that correct?

3 A Yes.

4 Q And that there were a few Japanese on this
5 committee also?

6 Q Yes.

7 Q How many were on the committee as a whole?

8 A You mean Japanese?

9 Q No, what was the entire membership of the
10 committee, 120?

11 A I do not remember the figure exactly; maybe
12 around one hundred.

13 Q If Mr. KASAGI, who was employed by that
14 committee, stated that it was a committee of 120,
15 would you deny it?

16 A I do not recall the number but I should
17 think it is around -- it was about one hundred so
18 that would be pretty close to that figure.

19 Q Now, of the 100 or 120 members of this com-
20 mittee, isn't it a fact that only about 15 were
21 Chinese or Manchurians and the rest of them were
22 Japanese?

23 A I do not think that the number was so few.
24 If I am permitted to explain a little further, the
25 Self-Government Guiding Board in the various provinces

KATAKURA

CROSS

1 were broken down and, for instance, in the Province
2 of Fengtien or Mukden Province there were more than 20
3 hsians with subcommittees under this Guiding Board.

4 Q I would like to interrupt the witness here
5 because your explanation has nothing to do with the
6 question I was asking. This Self-Government Guiding
7 Board was broken down into about eight divisions for
8 operational purposes, wasn't it?

9 A I think about five sections.

10 Q Are you familiar with the section entitled
11 "General Affairs Section"?

12 A As I have said before, I am not familiar
13 with the details because the problem of maintenance
14 of law and order was in the hands of the third section
15 of the Kwantung Army headquarters and I was with the
16 fourth section handling press relations and, therefore,
17 I was not personally or directly connected with the
18 affair.

19 Q You were with the fourth section in 1931 and
20 1932?

21 A I was in the General Affairs Section as assist-
22 ant to Colonel ITAGAKI.

23 Q Were you in the fourth section in 1931 or '32?

24 A No.

25 Q Then why did you say that you were?

KATAKURA

CROSS

1 A I was in the fourth section in December 1937.
2 Because of the fact that there are many very great
3 changes in the organization of the Kwantung Army head-
4 quarters, depending on the time, the function of the
5 fourth section would be different. If necessary, I
6 should be very glad to explain the particular section
7 which was charged with the handling of Manchurian
8 affairs.

9 Q I did not ask you that question. I asked
10 you if you were familiar with the General Affairs
11 Section of the Self-Government Guiding Board and you
12 stated you were not because you were in section four
13 when matters relating to the general affairs of the
14 Self-Governing Board were handled by section three.
15 You state now you were a member of section three, so
16 tell us about the operations -- that is, the operations
17 of the general affairs branch of the Self-Government
18 Guiding Board.

19 A I am not familiar with the functions of the
20 General Affairs Section of the Self-Government Guiding
21 Board.

22 Q You do know, however, that it was controlled
23 entirely by the Japanese, do you not?

24 A There were many Japanese associated with it
25 but I would not say it was entirely Japanese.

KATAKURA

CROSS

1 Q As a matter of fact, General, did not the
2 Kwantung Army sponsor and do everything it could to
3 promote the independence movements in Manchuria?

4 A As I told defense counsel, the Kwantung Army,
5 that is, Commanding General HONJO expressed his opin-
6 ion to the Central authorities in November and forwarded
7 his recommendations in January and in that connection
8 there were studies made by the Kwantung Army. However,
9 as far as the actions of the Kwantung Army were con-
10 cerned this was to be taken after consultation with
11 Tokyo and in accordance with the development of the
12 situation in Manchukuo, the action to be taken to be
13 in consideration of the need as it arose, and they
14 were so taken.

15 Q What do you mean by the need as it arose?

16 A I have already spoken of the fact that the
17 attitude of the Kwantung Army underwent three changes.

18 Q Will you answer my question, please? What
19 do you mean by the statement, "as the need arose"?

20 A As a result of consultation with Tokyo in
21 1932 the Central authorities in Tokyo were opposed to
22 an independent state; however, it was not opposed to the
23 establishment of a unified regime. At that time there
24 was a cabinet **change** in Japan and therefore a change
25 in government policy resulting and also a change in

KATAKURA

CROSS

1 the deployment of forces of the Kwantung Army in
2 Manchuria and, therefore, for these various reasons
3 various steps had to be taken whenever necessary.
4 For instance, it may be said that as a result of
5 Colonel ITAGAKI's meeting with the prominent leaders
6 of Manchuria in various areas of that country and
7 as a result of his assurance given to them at those
8 interviews that Japan had no intentions of occupying
9 Manchuria nor that Japan had entertained any territor-
10 ial designs on Manchuria, it may be said that this
11 assurance given by Colonel ITAGAKI served as a sort
12 of a suggestion to them in their carrying on their
13 independence movement.

14
15
16
17
18
19
20
21
22
23
24
25

KATAKURA

CROSS

G
o
l
d
b
e
r
g
&
K
a
p
l
e
a
u

1 Q The Manchurian leaders did not desire the
2 return of the Chang regime to Manchuria or the
3 extension of the authority of the Nanking Government
4 into Manchuria. At the same time the Kwantung Army
5 also did not desire the establishment of such
6 authority in Manchuria and in fact -- and, therefore,
7 Colonel ITAGAKI's telling these men, prominent
8 Manchurian leaders, of Japan's true intentions
9 not to occupy nor to take the territory of Manchukuo,
10 that may have served as an impetus to these Manchurian
11 leaders to do something themselves, and in that sense
12 it may be said that indirectly there was some
13 stimulus given in carrying on the independence move-
14 ment.

15 Q Let me interrupt your speech, Mr. Witness,
16 and ask that you answer my question, which is:

17 What did you mean by the statement that
18 independence movements were aided by the Kwantung
19 Army as the need arose?

20 THE PRESIDENT: We must assume that your
21 questions are being correctly interpreted. If so,
22 you may be satisfied to leave the position as it is
23 now if this question is directed to testimony credit.
24 We do not need the confirmation of this witness of
25 your evidence. You are not inviting his contradiction.

KATAKURA

CROSS

1 You are merely testing credit, and perhaps you have done
2 enough of that.

3 MR. TAVENNER: I withdraw the question.

4 Q At this point I would like to ask you a few
5 questions about occurrences prior to the so-called
6 Incident. Did not the Kwantung Army on or prior to
7 August 18, 1931 drive Yen Hsi-shan from the Kwantung
8 Province by the use of airplanes?

9 THE MONITOR: Mr. Tavenner, did you say,
10 "drive from by airplanes"? You mean drive him out
11 of the place by the use of airplanes as a force?

12 MR. TAVENNER: That is right.

13 A I do not think there was any case of his
14 being driven out.

15 Q Was there an attack upon this person by
16 the use of airplanes?

17 A No.

18 Q Did not the value of Manchurian railroad
19 stocks suddenly fall on July 20, 1931 due to rumors
20 of a Manchurian expedition?

21 A I have never heard of stocks falling because
22 of an expedition -- a military expedition.

23 Q Was Shih Yu-san opposed to the Nanking regime?

24 THE MONITOR: Mr. Tavenner, what is your
25 spelling of the name, please?

KATAKURA

CROSS

1 MR. TAVENNER: S-h-i-h Y-u--s-a-n.

2 A I am not familiar with that situation because
3 I was not then connected with intelligence duties with
4 regard to Chinese affairs.

5 Q Possibly I can refresh your recollection.
6 Did not DOHIHARA aid him in his opposition to the
7 Nanking regime?

8 A May I have that question repeated?

9 (Whereupon, the question was repeated
10 by the interpreter.)

11 A No, I do not know.

12 Q You have told us that because of your duties
13 with the staff of the Kwantung Army that you were
14 familiar with everything that occurred or practically
15 everything.

16 A What I personally handled in connection with
17 the Manchurian Incident, what took place at the
18 conference of staff officers, what I personally
19 heard from the Commanding General of the Kwantung
20 Army, indeed, I am very well familiar with. Other
21 than these things, there might be certain matters
22 with which I am not familiar. There might be many
23 things with which I am not familiar.

24 Q Do you not recall that DOHIHARA was recalled
25 to Mukden because of the aid he gave to the forces of

KATAKURA

CROSS

Shih Yu-san prior to the breaking out of the Incident?

A No, I do not know.

Q Is it not a fact that prior to the so-called Incident the army attempted to use the killing of Captain NAKAMURA as a tool for solving the Manchurian-Mongolian problems by enlarging its importance?

A I am very well familiar with the NAKAMURA Incident because I personally handled it, but there was nothing of that sort connected with it. However, it is a fact that at the time newspapers in Manchuria and Japan exaggerated the activities of the Chinese side because they were indignant over the actions of the Chinese toward the Japanese -- toward Japanese subjects.

Q You told us in your examination in chief that shortly after the breaking out of the so-called Incident, many actions were taken by the Kwantung Army for the maintenance of law and order. You also referred to the action of the Cabinet in Tokyo in March, 1932. Was this program or attempt to restore law and order in line with the recommendations of the Cabinet, a copy of which you said was sent to the Kwantung Army?

A No, that is different.

KATAKURA

CROSS

1 Q What is the difference?

2 A Immediately after the outbreak of the
3 Incident the Kwantung Army took necessary action
4 in the despatching of troops for the purpose of
5 maintaining law and order, which is a natural thing
6 for any army to do in the face of such a contingency.
7 The cabinet decision of March, 1932, was referred
8 to the Kwantung Army as a matter of reference, and
9 this does not bind the Kwantung army and its activi-
10 ties, or, that is, this recommendation was not bind-
11 ing on the Kwantung Army.

12 Q Did the Kwantung Army carry out the matter
13 which had been referred to them by the cabinet?

14 A Yes, the Kwantung Army received the cabinet
15 decision as reference, but the Kwantung Army acted
16 according to the instructions of the Chief of the
17 Army General Staff and the War Minister in Tokyo.

18 Q Had not the Kwantung Army been acting in
19 accordance with that same instruction from the very
20 beginning?

21 A The action taken by the Kwantung Army at
22 the time of the outbreak of the Incident came as a
23 result of the personal decision of the Commanding
24 General of the Kwantung Army. It was after that that
25

19087 Missing

NOTE:

The attached pages are corrected
pages and should be substituted for the
corresponding pages in the record.

25 March 49

19.049 / 19.128

RECORDED & INDEXED

KVJVKOEY

CBOB

167685

KATAKURA

CROSS

1 I would like to change the wording of this a little,
2 and I will come to the reading of this later.

3 THE MONITOR: We have it, Mr. Tavenner.

4 MR. TAVENNER: I still prefer to change
5 the question.

6 THE MONITOR: All right, sir.

7 Q Is it not a fact, Mr. Witness, that the
8 cabinet endeavored to use the right of subjugating
9 bandits and the policy of protecting nationals as
10 an excuse for seizing military power in Manchuria?

11 MR. BROOKS: I would like to object to that,
12 your Honor. I think it calls for an opinion outside
13 the scope of this witness' knowledge.

14 THE PRESIDENT: The objection is overruled.
15 His credit can be tested this way.

16 You had better read the cabinet's minutes.

17 A As I have said before, the Kwantung Army
18 has not acted in accordance with that cabinet
19 decision. In accordance with the situation then
20 developing in Manchuria, the Kwantung Army acted
21 in accordance with the directions of the Chief of
22 the Army General Staff in Tokyo, and that action
23 was to preserve and maintain law and order. The
24 Kwantung Army on its own did not engage in anything
25 such as the grasping of military power.

KATUKURA

CROSS

1 THE PRESIDENT: There is no need for him,
2 of course, to confirm the cabinet minutes. They
3 come from the principal source of power in Japan.
4 You can only be using this to test credit, and why
5 persist in it?

6 MR. TAVENNER: The witness testified that
7 the Kwantung Army had received a copy of this --
8 of the minutes of this cabinet meeting.

9 THE PRESIDENT: My point is, you are just
10 testing credit, needlessly, I think. You don't want
11 confirmation.

12 MR. TAVENNER: I will not pursue that
13 subject matter further.

14 Q You testified that ANDO was sent from Tokyo
15 to Manchuria to investigate certain matters. What
16 was the date of his arrival?

17 A The 22nd of September.

18 Q You stated that the second subject of his
19 inquiry related to a report that the Kwantung Army
20 had attacked the Chinese inspite of the Chinese
21 declaration of non-resistance. Do you know who
22 made that report to Tokyo prior to the 22nd of
23 September?

24 A If we assume that this report was sent out
25 by the Consulate General -- the Japanese Consulate

NOTE:

The attached pages are corrected
pages and should be substituted for the
corresponding pages in the record.

25 March 49

19087 Missing

19.042 - 19.128

KATAKURA

CROSS

1 General in Mukden when we had a discussion at the
2 time of the investigation with the Counsul General
3 there --

4 THE MONITOR: I received the impression
5 that --

6 THE INTERPRETER: It was our impression
7 that the report was sent out by the Japanese Con-
8 sulate General in Mukden when we had a discussion --
9 judging from the discussion I had with them there.

10 Q Well, it is a fact, is it not, that Colonel
11 ITAKAKI knew at the time of the outbreak of the
12 Incident that the Chinese had declared a non-resis-
13 tance policy?

14 A Not from what Colonel ITAKAKI reported to
15 the Commander-in-Chief of the Kwentung Army or from
16 what he spoke to me about.

17 THE PRESIDENT: We will adjourn until half-
18 past one.

19 (Whereupon, at 1158 a recess was
20 taken.)
21
22
23
24
25

KATAKURA

CROSS

1 General in Mukden when we had a discussion at the
2 time of the investigation with the Counsul General
3 there --

4 THE MONITOR: I received the impression
5 that --

6 THE INTERPRETER: It was our impression
7 that the report was sent out by the Japanese Con-
8 sulate General in Mukden when we had a discussion --
9 judging from the discussion I had with them there.

10 Q Well, it is a fact, is it not, that Colonel
11 ITAGAKI knew at the time of the outbreak of the
12 Incident that the Chinese had declared a non-resis-
13 tence policy?

14 A Not from what Colonel ITAGAKI reported to
15 the Commander-in-Chief of the Kwantung Army or from
16 what he spoke to me about.

17 THE PRESIDENT: We will adjourn until half-
18 past one.

19
20 (Whereupon, at 1158 a recess was taken
21 until 1330.)
22
23
24
25

W
O
l
f
&
M
o
r
s
e

1 AFTERNOON SESSION

2
3 The Tribunal met, pursuant to recess, at
4 1330.

5 THE PRESIDENT: Colonel Warren.

6 MR. WARREN: If the Tribunal please:

7 I have the unanimous consent and approval
8 of all counsel, defense counsel, to read a short
9 prepared statement to the Tribunal at this time con-
10 cerning the recess.

11 Yesterday the defense, in open court, requested
12 an adjournment for one week in order that we might be
13 enabled to carry on with the burdens of proceeding
14 in a manner consistent with the proper defense of the
15 accused. We had previously stated our position in
16 Chambers and we listened with interest to the addition-
17 al remarks of the prosecution. We feel the Tribunal
18 is fully informed in the premises and we, therefore,
19 deem it inappropriate to comment further upon the
20 remarks of the prosecution.

21 We have observed with misgivings an apparent
22 tendency to deviate from methods of procedure upon
23 which we had come to rely. This came about as a
24 result of having followed such procedures during the
25 time the prosecution was presenting its evidence.

1 The Tribunal stated yesterday that it was prepared to
2 grant a recess of seven days at the end of the present
3 witness' testimony, providing that "future witnesses
4 for the defense will give evidence on affidavit; and
5 that there will be no further application for recess
6 until June." The prosecution presented the testimony
7 of witnesses by affidavit over the objection of the
8 defense. It was obviously a definite aid to the
9 prosecution to be able to thus control its direct
10 testimony, and their action was entirely voluntary.
11 The defense does not feel that the imposition of such
12 a rule as is proposed would be of any benefit to the
13 accused. On the contrary, we feel that the restric-
14 tion would be such as to work great hardship. Be that
15 as it may, the fact remains that in order to effectu-
16 ate and vitalize a restriction of that character, it
17 would consume more time than the defense has presently
18 requested, and would place an additional burden on our
19 already overtaxed language section, and would of it-
20 self require an additional request for time.

22 With respect to the proposition that we
23 should not ask for any further recess until June, we
24 have already made our position clear. We cannot give
25 the Tribunal any assurance that we could continue until
such time. The contingencies are much too speculative

1 upon which to prognosticate with any degree of cer-
2 tainty.

3 It is with deep regret that the defense now
4 feels compelled to state that it is in no position to
5 compromise what we consider to be the basic rights of
6 the accused to a fair and impartial trial.

7 THE PRESIDENT: The insistence by the Tribunal
8 on affidavits by the defense witnesses cannot prejudice
9 a fair trial of the accused. On the contrary, it
10 gives an advantage to the accused, and we know it if
11 you don't. There is no jury here. The deponents will
12 take the box and be subjected to cross-examination
13 and re-examination. All that will happen will be that
14 the witness will give his examination, his direct
15 examination or the evidence therein, after careful
16 consideration and that direct examination will be
17 simultaneously broadcast. The only change involved
18 will be to the advantage of the accused and not to
19 the disadvantage of the accused. When this matter
20 was before me in Chambers there was not a single word
21 of dissent and this is a new attitude. I believe
22 Mr. Cunningham had something to say, but he is one
23 in fifty. Apparently he has control. If you don't
24 want the recess on our terms, you won't get the recess.
25

 The application for the recess is refused.

1 Mr. Cunningham.

2 MR. CUNNINGHAM: If the Tribunal please, I
3 would like to make myself clear on the objections.
4 At our recent meeting I voiced the same objections
5 to the conditions imposed by the Tribunal as I voiced
6 in Chambers when the matter came up originally, and
7 the opposition voiced at that time is practically
8 the same as the opposition voiced in our meeting unani-
9 mously yesterday concerning the restriction imposed
10 by the Tribunal, and since the objections have not
11 been made a part of the record it might be proper to
12 voice the reason why we object to the imposition of
13 having our testimony reduced to affidavit form before
14 presented before the Tribunal as the evidence in this
15 case.

16 There were three major reasons why the objec-
17 tions to the introduction of our testimony in affidavit
18 prompted me in objecting at that time and also at this
19 time to that imposition.
20
21
22
23
24
25

1 THE PRESIDENT: The spokesman for the great
2 majority expressed no word of dissent. However,
3 apparently they have changed. You have convinced them,
4 Mr. Cunningham. It is a great triumph for you and
5 it will be interesting for us to know how you did it,
6 so you better tell us.

7 MR. CUNNINGHAM: I assure you, your Honor, that
8 I don't deserve the credit, but I would like to give
9 you the reasons why these matters seem so fundamental.

10 The first was that they thought that under
11 the Charter the counsel should have the right to
12 elect the most effective manner in which to present
13 the evidence in behalf of his client.

14 Two, that it is far more effective according
15 to our experience to have a witness testify forthright
16 in the court rather than recite his evidence by
17 affidavit form; and, third, that it is such a radical
18 departure from the ordinary course of presentation
19 of a case when a man's life is at stake that it seems
20 so impractical and improbable that such a rule should
21 be adopted.

22 THE PRESIDENT: Words, just words; no attempt
23 to show us how the accused will be prejudiced because
24 there is no possibility of showing it.

25 MR. WARREN: If the Tribunal please, my

1 colleagues have asked me to point out that many of
2 them were not present at the meeting in chambers.
3 As I recall, your Honor, you stated that the rule
4 was likely to be imposed and we tried to work out or
5 formulate a basis which would be least objectionable
6 to the defense. At least, your Honor, the decision
7 yesterday, or at least the conclusion the Tribunal
8 reached yesterday, with regard to the handling of the
9 witnesses was far more far-reaching than what we
10 discussed in chambers. If there was no objection
11 other than from Mr. Cunningham certainly there was
12 no agreement to it.

13 Certainly, your Honor, I pointed out person-
14 ally that the prosecution proceeded in that manner
15 because they so chose to do. Of what use is there to
16 voice an objection if the mind of the Tribunal is made
17 up. It could only antagonize your Honor and we shouldn't
18 do so. The accused will be endangered in this respect.

19 If it please your Honor, the additional physical
20 burden placed upon the defense counsel and upon their
21 assistants will place us far beyond the breaking
22 point at which we are now. Many of us have worked
23 hard and diligently and oftentimes we were not physically
24 able to do so, and to put this increased burden on
25 us is going to affect our overall preparation of this

1 Trial by the defense. It may well be, your Honor,
2 that given the time to prepare these affidavits,
3 and the facilities with which to prepare them, that
4 it might not work a hardship on the accused. Other-
5 wise, sir, it certainly shall.

6 THE PRESIDENT: You must, of course, take
7 a proof of the evidence of every witness and all we
8 are asking is that you put that proof in affidavit
9 form and serve it three days beforehand on us. Actually,
10 no extra burden is involved beyond going before a
11 Commissioner of Affidavits or a Justice of the Peace
12 and swearing on oath that what is in the proof is
13 true. Before a witness goes into that box you get
14 a statement from him in writing. All we want you to
15 do is to have it sworn to and circulated. That
16 involves no extra effort on your part, neither
17 physical nor mental. I have been over 40 years
18 associated with criminal work. I have been on both
19 sides and I know.
20
21
22
23
24
25

G
r
e
e
n
b
e
r
g
&
W
h
a
l
e
n

1 MR. WARREN: If the Tribunal please, I will
2 personally invite any Member of this Tribunal to visit
3 and see the processes through which a document must
4 go before it can be placed before this Tribunal. It
5 is not as simple as your Honor seems to think. Be-
6 lieve me, sir, if it were that simple, I would not
7 be pleading for time; I would be out working and
8 getting it done. But it just is not that simple,
9 your Honor.

10 I invite the personal attention of the
11 Members of this Tribunal to the lengthy red tape
12 through which we must go. I said "red tape." Per-
13 haps I should not have done so. I meant the proce-
14 dure which, apparently, is necessary to the conduct
15 of a trial of this nature and the scope that it
16 covers. And it will, your Honor, increase the
17 burden. I say that sincerely and honestly.

18 THE PRESIDENT: Mr. Tavenner, will you
19 continue the cross-examination.

20 I will take a vote on this if there is any
21 question about it. We granted the seven days recess
22 on terms. The terms have been rejected, and I can-
23 not see how we can be held to granting seven days
24 now.

25 MR. WARREN: Your Honor, we have attempted

1 to explain that the terms are such that the recess
2 would be useless. At the end of a week's time we
3 probably would not be any further ahead because we
4 have some twenty-eight witnesses that we will use in
5 the first sub-division. Our trial notes are not
6 sufficient to bring before this Tribunal. We cannot,
7 your Honor -- we do not have these things translated.
8 We must call the witnesses back in.

9 Your Honor, we are doing everything we can
10 to shorten this procedure. Just today at noon we
11 discussed and have agreed to attempt to stipulate
12 many matters of fact, as your Honor suggested the
13 other day. I think it has met with the instant
14 approval of all defense counsel.

15 THE PRESIDENT: You know my attitude in
16 chambers, Colonel Warren. Here I am supporting the
17 attitude of the Court. If the Court wants to change
18 its attitude, it is at liberty to do so; I shall
19 loyally observe whatever they direct. The decision
20 yesterday was the decision of the whole Tribunal.
21 There was not a single dissentient.

22 We will adjourn to consider the matter.
23

24 (Whereupon, at 1407, a recess was
25 taken until 1445 after which the proceedings
were resumed as follows:)

KATAKURA

CROSS

D
u
d
a
&
W
h
a
l
e
n

1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: The Court has come to a
4 final decision on the matter of a recess to enable
5 the defense to continue their case.

6 The Court grants a recess of seven days
7 from the completion of the evidence of the witness
8 now in the box. The Court insists on future defense
9 witnesses giving their evidence on affidavit.
10 The Court will investigate the allegations made by
11 the defense that they are lacking facilities for this
12 work.

13 MR. CUNNINGHAM: If the Tribunal please, may
14 I ask that the defense counsel then be authorized as
15 officers of the Court to administer sufficient oath
16 to take affidavits in order to save time, simplify
17 procedure, and overcome in some degree the handicap
18 which we feel is the result of the ruling?

19 THE PRESIDENT: The Charter expressly deals
20 with oaths and affirmations to be taken by witnesses.
21 So far as the Charter is lacking and we have the power.
22 we will provide what is necessary by rules of Court.

23 Mr. Tavenner.

24 MR. TAVENNER: Your Honor, may I make this
25 suggestion in the interests of saving time with regard

KATAKURA

CROSS

1 to affidavits: In every instance in which an affidavit
2 has been introduced, or nearly every one, the affiant
3 has stated on the stand under oath that the matters
4 contained in his statement are true.

5 THE PRESIDENT: Independently of that there
6 are reasons why we should have the statements in affi-
7 davit form. Greater care is exercised about such
8 documents.

9 Mr. Roberts.

10 MR. ROBERTS: May I inquire if it is the
11 purpose of the Court to have the affidavit served
12 upon the prosecution as well before the witness is
13 produced?

14 THE PRESIDENT: That point has been raised
15 in chambers. I told you it would be sufficient if
16 you served the Judges. If the Judges think otherwise
17 they will so direct.

18 Mr. Tavenner.
19
20
21
22
23
24
25

KATAKURA

CROSS

1 T A D A S H I K A T A K U R A, called as a
2 witness on behalf of the defense, resumed
3 the stand and testified through Japanese
4 interpreters as follows:

CROSS-EXAMINATION

BY MR. TAVENNER (Continued:)

7 MR. TAVENNER: May I ask the reporter to
8 read the last question and answer?

9 (Whereupon, the question and
10 answer were read by the official court
11 reporter as follows:

12 "Q Well, it is a fact, is it not, that Colonel
13 ITAGAKI knew at the time of the outbreak of the
14 incident that the Chinese had declared a non-
15 resistance policy?

16 "A Not from what Colonel ITAGAKI reported to
17 the commander-in-chief of the Kwantung Army, or
18 from what he spoke to me about."

19 Q General KATAKURA, to my last question regard-
20 ing the knowledge of Colonel ITAGAKI of the non-
21 resistance attitude of the Chinese you replied that
22 you had no knowledge from ITAGAKI that he knew of such.
23 Now, did you learn from a telegram that was sent from
24 Mukden on the morning of September 19th to the Japanese
25 Foreign Ministry in Tokyo that Colonel ITAGAKI had such

KATAKURA

CROSS

information?

1 A I should make a slight correction and make
2 a very clear answer to that question.

3 Q Thank you.

4 A During the daytime of the 19th when Commanding
5 General HONJO arrived in Mukden Colonel ITAGAKI made
6 a brief report on the military situation and with
7 respect to his negotiations with Consul-General
8 HAYASHI. Then on the same day Consul-General HAYASHI
9 called on Commander-in-Chief HONJO and spoke of the
10 incident involving the company, Fushun, as well as
11 about this matter. This was a very brief and simple
12 reference that was made.
13

14 Then from Tokyo there came instructions to
15 the effect that since there were very strange reports
16 which were emanating from the South Manchuria Railway,
17 the Kwantung Administrative Office, and other organs,
18 that all matters should be thoroughly investigated.

19 Q Will you answer my question, please? Did you
20 learn from a telegram sent from Mukden on the 19th,
21 the morning of the 19th, that Colonel ITAGAKI did know
22 of the Chinese proposals, that is, proposals of non-
23 resistance?

24 A Such a telegram did not come.

25 Q I am not speaking of a telegram coming to

K. TAKURA

CROSS

1 Mukden; I am speaking of one being sent from Mukden.

2 A Do you mean from Mukden to Tokyo?

KATAKURA

CROSS

1 Q I am speaking of telegram No. 624, from
2 Consul General HAYASHI to Foreign Minister SHIDEHARA
3 on the morning of September 19, in evidence as Part I
4 of Exhibit 181.

5 A I am not familiar with that evidence, that
6 exhibit. Will you inform me of the contents?

7 Q I will read Exhibit 181, Part I:

8 "Referring to my despatch telegram No. 623:
9 In view of the fact that it was proposed several
10 times from the Chinese side that this matter be
11 settled in a peaceful way, I phoned to Staff Officer
12 SAKAGAKI /T.N. Probably a mistake for ITAGAKI/ and
13 said that since Japan and China had not yet formally
14 entered into a state of war and that, moreover as
15 China had declared that she would act upon the non-
16 resistance principle absolutely, it was necessary
17 for us at this time to endeavor to prevent the aggra-
18 vation of the incident unnecessarily, and I urged that
19 the matter be handled through diplomatic channels,
20 but the above-mentioned staff officer answered that
21 since this matter concerned the prestige of the state
22 and the army, it was the army's intention to see it
23 through thoroughly because the Chinese Army had
24 attacked the Japanese Army, although the Japanese Army
25 would do their best to protect the foreign residents

KATAKURA

CROSS

1 here. Thus since he did not appear to readily accept
2 /my proposal/, I repeated the above purport again and
3 called his attention to it."

4 A With respect to that telegram, the purport
5 of it became known to Colonel ANDO, Chief of the
6 Military Service Section, when he arrived in Manchuria
7 for purposes of investigation; and it was on that
8 occasion that I became informed of that telegram.
9 However, as to the contents of that telegram, I learned
10 very briefly and simply when Colonel ITAGAKI reported
11 to Commander-in-Chief HONJO.

12 Q Now, did you also learn of the sending of
13 another telegram by Consul General HAYASHI, this one
14 around the 15th or 16th of September, to Tokyo, in
15 which it was said in substance that a big event was
16 to occur soon?

17 A Yes, I learned that a telegram to such an
18 effect was sent when I called at the consulate general
19 in Mukden together with Chief of Staff MIYAKE on the
20 20th of September.

21 THE PRESIDENT: Captain Brooks.

22 MR. BROOKS: May we have that telegram that
23 the prosecutor has referred to identified, if the
24 prosecutor can give us the exhibit number?

25 THE PRESIDENT: What is the number?

1 MR. TAVENNER: The telegram has not been
2 introduced in evidence. At the present time we
3 have not located it, though we are searching for it.

4 THE PRESIDENT: You should not cross-examine
5 him on a telegram you haven't presently in your
6 possession.

7 MR. TAVENNER: The witness himself in his
8 examination in chief prepared us for cross-examination
9 on this subject by his mentioning of the sending of a
10 message to Tokyo after the 14th of September. The
11 matter is in evidence by the prosecution to this
12 extent, that General TANAKA testified that such a
13 message had been received in Tokyo. Now, this witness
14 has testified he knew of the message.

15 MR. BROOKS: I would like to renew my
16 objection, and ask the prosecutor to check with the
17 witness what message he is referring to. He is
18 assuming something the witness is not clear on,
19 the record is not clear on.

20 THE PRESIDENT: You had better clear that
21 up.

22 Q I asked you the question, if you knew of a
23 telegram being sent from Consul General HAYASHI on
24 the 15th or 16th of September to Tokyo regarding an
25 incident or an occasion which was likely to occur in

KATAKURA

CROSS

1 the near future. I believe I used the word "a big
2 incident." And I understood you to reply that you
3 did know of such a telegram.

4 A From what you have just said, I should like
5 to make a slight correction in what I said. What I
6 learned was of three telegrams which had been sent
7 out from Mukden by the consul general on the morning
8 of the 19th of September.
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

KATAKURA

CROSS

S
p
r
a
t
t
&
Y
e
l
d
e
n

1 Q In your testimony in chief you told us about
2 the writing of a letter by HAYASHI to the Commander
3 in Chief prior to the breaking out of the incident
4 and to the sending of a message to Tokyo. Now tell
5 us about this message to Tokyo.

6 A Consul General HAYASHI on the 17th of
7 September on the one hand sent a letter to the
8 Commander in Chief of the Kwantung Army and on the
9 other hand after the outbreak of the Manchurian
10 Incident he sent out a series of three telegrams to
11 Tokyo on the night of the 18th in connection with
12 this incident, also the Fushun Incident, together
13 with a message which he had sent out on the 17th --
14 that is, the series of three telegrams also included
15 what he had written to General HONJO on the 17th of
16 September.

17 Q When did General TATEKAWA arrive in Manchuria?

18 A The night of the 18th of September.

19 Q Was not he sent to Manchuria because of
20 reports received in Tokyo that an incident was going
21 to occur?

22 A The purpose of General TATEKAWA's mission
23 was not known until he arrived in Manchuria. As for
24 the Kwantung Army it received a telegram on the 17th
25 of September saying that as TATEKAWA was going to

KATAKURA

CROSS

1 Manchuria he would like to have Colonel ITAGAKI or
2 Lieutenant Colonel ISHIHARA go to Mukden for purposes
3 of liaison.

4 Q Now, will you please answer my question.

5 Why was it that General TATEKAWA was sent to
6 Manchuria? Was it not because reports had been
7 received in Tokyo that an incident was likely to
8 occur and he was asked to try to stop the Kwantung
9 Army in its plans?

10 A Because of the fact that various wild rumors
11 were afloat in Tokyo following the Captain NAKAMURA
12 Incident, General TATEKAWA was sent to Manchuria in
13 order to cope with the situation. As for the Kwantung
14 Army it was unable to understand on what grounds,
15 positively on what grounds, TATEKAWA was sent to
16 Manchuria.

17 Q As far as you know then TATEKAWA's mission
18 to Manchuria had no connection with Consul General
19 HAYASHI's telegram if he sent one prior to that time?

20 A No connection.

21 Q Is it not true that Consul General HAYASHI's
22 life was in danger as a result of the feeling on the
23 part of the Kwantung Army against him by reason of
24 his messages?

25 A I have met Consul General HAYASHI very

KATAKURA

CROSS

1 frequently. I have never heard anything of that
2 kind from him.

3 Q Was it not true that even the Commander in
4 Chief of the Kwantung Army was restricted to quarters
5 at the time that the so-called incident broke?

6 A On the night of the 18th of September, as
7 I have testified before, the Commander in Chief
8 returned to his official residence after a nine
9 o'clock inspection and that I went to the Chief of
10 Staff to report and when I further took the report
11 to the Commander in Chief he was taking a bath when
12 I reported on the telephone call from Mukden; and
13 when Commander in Chief HONJO arrived at the Kwantung
14 Army headquarters near midnight, about midnight, on
15 the 18th he came alone, unescorted, with his aide-de-
16 camp SUMITOMO.

17 Q Is it not true that Colonel ITAGAKI and
18 ISHIHARA were the ones really who controlled the
19 policies of the Kwantung Army?

20 A Colonel ITAGAKI was in charge of liaison
21 or public relations with the outside; Lieutenant
22 Colonel ISHIHARA was in charge of operations. In the
23 Japanese army it was the custom of the high command
24 not to have any officer interfere with the work of
25 an officer in charge. For instance, if the officer

KATAKURA

CROSS

1 is in charge of operations it was the custom not to
2 have any other officer interfere in his work. That
3 was the custom prevailing at that time. Correction:
4 not "interfere," but if the officer was in charge of
5 operations it was the custom created by the high
6 command to prohibit that officer --

7 THE MONITOR: It was customary at that
8 time which was established by the high command not
9 to let any other people know about the operation
10 aside from the officer in charge.

11 Q Let us proceed now again with the ANDO
12 investigation. You stated that the fourth inquiry
13 related to the report that action of the Kwantung
14 Army had been taken so swiftly that it appeared
15 preparations had been made in peacetime. Do you know
16 how the Tokyo government received such a report?

17 A According to the explanation given by
18 Colonel ANDO this was a question addressed by Foreign
19 Minister SHIDEHARA to the War Minister, MINAMI.

KATAKURA

CROSS

1 Q In your testimony in chief you stated
2 that it was a report that had been made. Do you
3 desire now to change that statement?

4 A As to where Foreign Minister SHIDEHARA
5 got his report or information in making this
6 sudden request of the War Minister we do not
7 know, but he must have received some information
8 from some source.

9 Q Now, you testified in your examination
10 in chief that you accompanied General HONJO in
11 September 1932 to the palace of the Emperor.

12 A Yes.

13 Q Just a minute. I have not asked you the
14 question.

15 A Yes, I said so.

16 Q Is it true that the Emperor on that
17 occasion asked General HONJO whether the incident
18 in Manchuria was the result of a plot on the part
19 of the Kwantung Army?

20 A The inquiry made by his Majesty, the
21 Emperor, of General HONJO was not -- did not refer
22 to any definite plot. He merely inquired that
23 there were rumors to the effect that the incident
24 was the result of a plot and inquired whether that
25 was true or not.

KATAKURA

CROSS

1 Q Will you answer my question? I will
2 repeat it if there is any uncertainty about it.

3 Did the Emperor inquire of General HONJO
4 if the incident in Manchuria was the result of a
5 plot on the part of the Kwantung Army? Out of
6 fairness to you I will say that I am reading from
7 a transcript of your testimony on page 19,029.

8 A Yes, there was such an inquiry, but I
9 think that the language was not sufficient.
10 Emphasis should be placed on the word "rumor."
11 The inquiry was to the effect that he had heard
12 rumors that it was the result of some plot, and he
13 asked whether those rumors were true or not.

14 Q That was one year after the incident had
15 occurred, and many months after the Cabinet had
16 accepted the Kwantung Army's explanation of what
17 had occurred, was it not?

18 A Yes, that was one year after the incident.

19 Q And after the Kwantung Army's official
20 explanation of the incident had been made also; is
21 not that true?

22 A Yes.

23 Q Then the Emperor saw fit to make further
24 inquiries after the matter had been officially
25 determined by the Kwantung Army and the War Ministry,

KATAKURA

CROSS

1 and the Cabinet; isn't that true?

2 A Well, I do not know all the details of
3 the situation then, but the discussion that was
4 held was a very informal one.

5 Q In regard to military action of the
6 Kwantung Army in Manchuria, you were asked the
7 question in your examination in chief as to whether
8 there were prisoners of war camps, to which you
9 replied, page 18,997 of the transcript, "There
10 were no such things as prisoners of war." And
11 you further replied that the reason was that those
12 who took a hostile attitude toward the Japanese
13 would be punished, but those who had ceased re-
14 sistance would be welcomed and absorbed. Does this
15 mean that all those who took a hostile attitude
16 were punished by death and that was the only reason
17 there were no prisoners of war?

18 A My meaning was this: of course there would
19 be some killed or wounded as a result of combat;
20 however, if I am to describe the situation in
21 Manchuria at that time, many troops surrendered in
22 groups; some escaped, and therefore, they would
23 generally fall into the three categories of
24 killed and wounded, those who surrendered in
25 groups, and those who escaped or missing -- that is,

KATAKURA

CROSS

1 the Chinese troops I am referring to. And I also
2 implied when I spoke of surrendering soldiers, that
3 is, soldiers surrendering in groups -- my meaning
4 that they were not prisoners of war is that, un-
5 like regular officers, they did not carry --

6 THE MONITOR: By that I only wanted to
7 stress that they were different from regular
8 troops; that is to say, that these surrendering
9 troops were unlike regular armies and troops which
10 could be seen on the battlefield, that is, their
11 method of fighting is different.

12 Q That is not in response to my question.
13 I asked you, if those captured were either punished
14 or welcomed and there were no prisoners of war, did
15 that mean that those who were punished were massacred
16 or killed?

17 A No, I did not mean that in that sense at
18 all.

19 Q How were they punished?

20 A Are you referring to those who surrendered
21 in groups?

22 Q I am referring to those who were not
23 welcomed and absorbed and who resisted Japanese
24 arms.

25 A Those who resisted the Japanese troops and

KATAKURA

CROSS

1 did not surrender against such troops, the fighting
2 of course continued vigorously. The situation on
3 the battlefield is rather strange.

4 Q All right. That is all I want to ask you
5 about that.

6 THE PRESIDENT: What are you referring to,
7 those who showed a hostile attitude after capture?

8 THE WITNESS: No, I am not referring to
9 those who were hostile after capture.

10 Q Well, what punishment was given to those
11 who were hostile?

12 A Those who showed a hostile attitude were
13 still enemies, and therefore not under our control.

14 Q In other words, you either absorbed them
15 or you put them to death, didn't you?

16 A There were only three alternatives: to
17 absorb them; to have them surrender, or to fight
18 them to the end and repulse them; or else there
19 were troops which dispersed and escaped.

20 Q I want to ask you a question or two now
21 regarding the conference that you spoke of between
22 General HONJO and Ambassador YOSHIZAWA in January
23 of 1932. You referred to that conference as being
24 a very formal one in which Ambassador YOSHIZAWA,
25 you say, was requested to take back to Tokyo three

KATAKURA

CROSS

1 important points. Now, as a matter of fact, do
2 you not know that there was no formal conference
3 whatever and that there was no message sent back
4 to Tokyo through Ambassador YOSHIZAWA?

5 A I did not say that it was a formal
6 conversation. It was a consultation.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

KATAKURA

CROSS

K
a
p
p
l
e
a
u
&
G
o
l
d
b
e
r
g

1 Q Possibly I should have said that you
2 described it formally. The exact language used by
3 you was that it was an important conference in
4 which --

5 A It was an important conversation but not
6 a formal one.

7 Q (Continued) in which General HONJO trans-
8 mitted an important message to the ambassador?

9 A Yes, but Ambassador YOSHIZAWA did not com-
10 pletely support them. He merely understood what
11 General HONJO told him and said that he would try
12 to do whatever he could, that was all.

13 THE PRESIDENT: Mr. Tavenner, a colleague
14 desires the following question to be put to the wit-
15 ness: Were the soldiers who surrendered but who
16 refused to cooperate with the Japanese thereafter
17 punished with death?

18 A There was no case of non-resisting Japan --
19 the Japanese after surrender.

20 Q Then, you still refuse to state what occurred
21 to prisoners after their surrender or capture?

22 A After surrender, as I have testified be-
23 fore, some of these surrendered soldiers became
24 honest, good peasants working on the land. Some
25 became police officers attached to the various

KATAKURA

CROSS

1 provincial governments. Some joined the armed forces
2 of the various independent armies, that is, armies
3 working for independence. However, I am not
4 familiar with minute details. Whatever it is, there
5 were none in Japanese hands.

6 Q What about those who were punished?

7 A As to those to be punished, some were for
8 the time being confined by the Japanese or trans-
9 ferred and confined by Chinese organs. Of course
10 the situation differed, depending on the time.

11 Q Then, there were prisoner-of-war camps?

12 A No.

13 Q In your testimony in chief you referred
14 to the existence of a special fund as being available
15 for expenses of intelligence work, cost of patrolling,
16 and for various reception purposes. Was this special
17 fund ever used for any other purposes?

18 A No.

19 Q Who was the custodian of this fund?

20 A The person in charge of this fund was the
21 Chief of Staff, Colonel ITAGAKI and the indendence
22 officer attached to the staff.

23 Q Was this special fund sometimes referred
24 to as the KIMITSUHI fund?

25 A Yes.

KATAKURA

CROSS

1 Q In referring to the expenditure of money
2 by the Kwantung Army to promote independence
3 movements, you stated, in substance, that the
4 Kwantung Army was at a loss because it had no money
5 to spend for such purposes, and then you said there
6 was 50,000 yen a year allotted to that fund.
7 Wasn't that enough for a beginning?

8 A As I wasn't the officer in charge of the
9 fund, I cannot give any very exact figures, but I
10 said that it was -- the 50,000 was, roughly, the
11 amount that was allotted for the purpose as expen-
12 ditures for the Kwantung Army in peace time; and this
13 special fund wasn't used at all for the independence
14 movement, and I just gave an example of its use be-
15 fore the Incident.

16 Q Now, you stated that Colonel ITAGAKI, after
17 first explaining the real intentions of the Japanese,
18 induced or persuaded Ma Shan-shan to become the
19 War Minister of the so-called new state.

20 (Whereupon, the witness started to
21 reply in Japanese.)

22 Just a minute. Were you present at the con-
23 ference?

24 A I was not present at the conference.
25

Q If you were not present I do not desire to ask you any questions about what occurred there.

But I will ask you if this Manchurian by the name of Ma Chen-shan actually became the first War Minister?

A Yes.

Q Who was his Vice-Minister and what was his nationality?

A The Vice-Minister was a Manchurian, but I don't recall his name at the moment. If you will give me time I might recall it.

Q How much time?

A Until I recall. (Pause)

Q Well, let us pass it by.

What other ministers in the Manchurian form of government besides the War Minister were there?

A Cheng Hsiao-hsu, prime minister --

Q Just a moment. I didn't ask for the names. I intended to ask for the names of the ~~ministries~~, that is, Foreign Ministry -- different types of **ministries**.

A Foreign Affairs Department, Civilian Affairs Department, Finance Department, Industrial Department, Transportation Department, Justice Department.

KATAKURA

CROSS

Q Is that all?

A Yes. As far as the government departments are concerned, yes.

Q Was there a Vice-Minister for each ministry?

A At the -- in the early stage of the establishment of the state and the government there were some departments which had vice-ministers and some which had not.

Q Isn't it a fact that in each instance where there was a Vice-Minister the Vice-Minister was a Japanese?

A In the early stage of the new state they were Manchurians, and Japanese became Vice-Ministers later on. They were all Manchurians, at least up until August, 1932, when we left Manchuria.

KATAKURA

CROSS

1 Q Are you related by blood or marriage to any
2 of the accused?

3 A Yes, by marriage.

4 Q To whom?

5 A General MINAMI.

6 MR. TAVENNER: No further questions.

7 MR. T. OKAMOTO: There is one question upon
8 the POW.

9 REDIRECT EXAMINATION

10 BY MR. T. OKAMOTO:

11 Q Mr. Witness, you testified a while ago
12 that in cases where punishment should be meted out
13 to prisoners of war, to soldiers after their sur-
14 render, they would be held either by the Japanese
15 side or the Chinese side.

16 THE MONITOR: They were either confined
17 by the Japanese or transferred to the Chinese
18 authorities.

19 Q In the course of the direct examination,
20 Mr. Witness, you used the word -- used a certain
21 word which was applied in case of hostile acts on
22 the part of the Chinese troops, and that was rendered
23 as "punishment". Did you not mean -- didn't you mean
24 punishment in some other sense when you used the
25 word?

KATAKURA

REDIRECT

1 THE MONITOR: Japanese Court Reporter.

2 (Whereupon, the last question was
3 read by the Japanese court reporter.)

4 Q In response to a question from me during
5 the course of the examination in chief did you not
6 mean when you said punitive actions against hostile
7 activities or hostile acts on the part of the
8 enemy, the word was translated as "punishment".
9 Did you not mean punishment in a different sense?

10 MR. TAVENNER: If your Honor pleases, this
11 is not cross-examination. The question is grossly
12 leading.

13 THE PRESIDENT: It is leading, but it is
14 not as objectionable as it might be. It does not
15 suggest a particular kind of punishment.

16 What did you mean, Witness?

17 THE WITNESS: I did not refer to them
18 after their surrender. I was referring to them
19 when they were continuing hostile enemy activities.
20 If I should use a different word, those who resisted
21 were enemies of the Japanese troops and those who
22 surrendered were welcomed into our fold under the
23 principle of Japan-Manchurian friendship.

24 Q In the course of the cross-examination by
25 the prosecutor the word "absorb" was used. Would

KATAKURA

REDIRECT

1 you explain the meaning of the word in Japanese?

2 A I meant -- I used the word "absorb" in
3 the sense that these soldiers would be absorbed
4 into society in general after pledging cooperation
5 with our side and pledging to act in unison with
6 our side.

7 MR. T. OKAMOTO: That is all, your Honor.

8 I ask that the prisoner be released on the
9 usual terms. Excuse me, that the witness be released
10 on the usual terms.

11 THE PRESIDENT: He is at liberty on the
12 usual terms.

13 (Whereupon, the witness was excused.)

14 THE PRESIDENT: The Members of the Tribunal
15 investigating the allegations by the defense that
16 they lacked facilities would like to meet the
17 counsel representing the defense in Chambers
18 immediately after this adjournment.

19 MR. BROOKS: I have sent one of the
20 attorneys around to the various offices and the
21 members of the defense will be in there, I think,
22 as soon as Court recesses, your Honor.

23 THE PRESIDENT: Only a few. The spokesmen
24 who appeared before me in Chambers will be sufficient,
25 I take it, Captain Brooks.

1 MR. BROOKS: I think he is ill at the
2 present time. Did you refer to Mr. Logan?

3 THE PRESIDENT: I referred to spokesmen.

4 MR. BROOKS: Thank you.

5 THE PRESIDENT: The adjournment that we
6 are about to enter will be until Wednesday, the
7 2nd of April. That is understood.

8 MR. BROOKS: Yes.

9 THE PRESIDENT: Mr. Roberts.

10 MR. ROBERTS: Mr. President, I believe
11 that some of the counsel, perhaps I just should
12 speak for myself, would like to make it clear to
13 the Court that we do not oppose the putting of
14 testimony by affidavit because of the mechanics
15 involved only. If that point is to be covered at
16 the conference in Chambers, I believe as many as
17 possible should be there.

18
19 THE PRESIDENT: That point will not be
20 adverted to, Mr. Roberts. We want to discuss the
21 mechanical difficulties really which you say are
22 impeding your progress or will, if you have to give
23 all your evidence in affidavit.

24 MR. ROBERTS: That is why I made the state-
25 ment that all counsel, I believe, do not agree that
that is the only reason for their opposition, that

1 the attempt of the Court to change the rules in
2 the middle of the trial, they thought, was a
3 deprivation of the rights of the accused under
4 the Charter.

5 THE PRESIDENT: Not the attempt but
6 determination not to change any rules, but to
7 adopt a certain form of procedure consistent with
8 a fair trial to the accused.

9 We will adjourn until Wednesday, the
10 2nd of April, at 0930.

11 (Whereupon, at 1555, an adjournment
12 was taken until Wednesday, 2 April 1947, at
13 0930.)
14

15 - - - -
16
17
18
19
20
21
22
23
24
25